

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

THURSDAY, THE 29TH NOVEMBER 2007 / 8TH AGRAHAYANA 1929

Bail Appl..No. 7317 of 2007()

(CRIME NO.174/2007 OF KALLYAR POLICE STATION)

PETITIONER

**BASHEER M.S., S/O.MUHAMMED HAJI,
SHERIN MANZIL, PADAYANAR KULANGARA SOUTH,
KARUNAGAPPALLY, KOLLAM DISTRICT.**

BY ADV. SRI.B.MOHANLAL

RESPONDENTS: COMPLAINANT

- 1. STATE OF KERALA, REPRESENTED BY THE
SUB INSPECTOR OF POLICE, KALIYAR POLICE
STATION, IDUKKI DISTRICT THROUGH THE PUBLIC
PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.**
- 2. THE DEPUTY SUPERINTENDENT OF POLICE,
THODUPUZHA, IDUKKI.**
- 3. THE SUPERINTENDENT OF POLICE,
POLICE HEADQUARTERS, IDUKKI.**

BY PUBLIC PROSECUTOR SRIJAI GEORGE

**THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 29/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:**

R. BASANT, J.

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B.A. No. 7317 OF 2007 F
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Dated this the 29th day of November, 2007

O R D E R

Application for anticipatory bail. The petitioner apprehends arrest as accused in crime No.174/07 of Kallyar police station registered under section 420 IPC.

2. The learned Public Prosecutor, after taking instructions, submits that the petitioner is not required to be arrested as an accused in that crime. He is not arrayed as an accused and he shall not be arrested also, submits the learned Public Prosecutor. The petitioner is required to be available for interrogation/examination as a witness. If at any later stage the petitioner is required to be arrayed as an accused, prior notice shall be given to the petitioner and permission of this court shall be sought, submits the learned Public Prosecutor.

3. I accept the submissions of the learned Public Prosecutor. In the light of the submissions and undertaking of the Public Prosecutor, the apprehension of the petitioner is found to be without any basis. The application for anticipatory bail is accordingly dismissed.

(R.BASANT, JUDGE)

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